

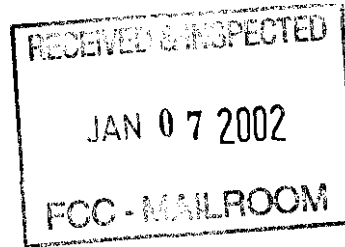
East Haddam Board of Education

Steven M. Durham, Ed.D.
Superintendent of **Schools**
E-mail: sdurham@easthaddam.k12.ct.us

Robert T. Carroll
Business Manager
E-mail: bcarroll@easthaddam.k12.ct.us

December 23, 2002

FCC
Office of the Secretary
445-12th Street SW
Washington, DC 20554



To Whom It May Concern:

I am writing to APPEAL an Administrator's Decision from the Universal Service Administrative Company. A copy of their denial letter is attached. As directed by the decision letter please note: **CC Docket Nos. 96-45 and 97-21.**

In the decision letter, it basically states that the form 486 was filed late. I have attached a copy of the original Form 486 submission, dated October 19, 2001. This date was well within the 120 window noted in the denial letter.

The USAC is basing their decision on a second Form 486 submission that identified the change in company name. This second submission was done per a directive from USAC personnel.

As a result of this denial, the children of the East Haddam Public Schools have been denied their proper entitlement to \$1,317.60, which could be used to purchase a computer.

I would appreciate any assistance that you can provide.

Sincere

Robert Carroll
Business Manager

No. of Copies rec'd 2
List ABCDE

cc: Senator Christopher Dodd



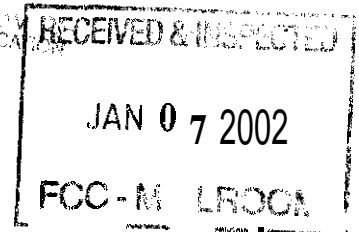
Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2001-2002

December 16, 2002

Robert Carroll
East Haddam Public Schools
26 Plains Road
P.O. Box 401
Moodus, CT 06469

RECEIVED
DEC 18 2002

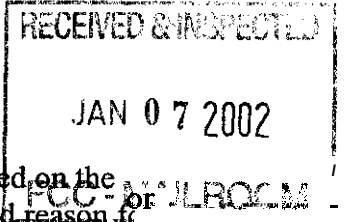


Re: Billed Entity Number: 122502
471 Application Number: 239170
Funding Request Number(s): 564805
Your Correspondence Received: March 26, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Four Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 564805
Decision on Appeal: Denied in **Full**
Explanation:

- **In** your letter of appeal you claim that you made every attempt to follow the rules while following your FCC Form 486 but the excessive delay in processing the paperwork caused the FCC Form **486** to be filed outside the 120-day
- Program rules state that **if** the date of the Funding Commitment Decision Letter was **on** or before 10/28/01 and the Service Start Date reported **on** the FCC Form 486 was **on** or before 10/28/01, the Form 486 must have been received or postmarked on or before 10/28/01 in order for the Service Start Date to remain 7/1/01. The penalty for missing the deadline is to reset the Service Start Date to the postmark date on the Form 486. In this case, the FCDL issuance date was 7/23/01 and the Service Start Date on the Form 486 was 7/1/01, but the postmark date of the Form 486 was 1/31/02. Since the Form 486 was postmarked after 10/28/01, the SLD has revised the Service Start Date to the Form 486 postmark



date of 1/31/02 and reduced their funding commitment amount based on the revised Service Start Date. A SPIN change is not considered a valid reason for missing the deadline.

- FCC rules provide that in Funding Year 2001, the FCC Form 486 must be postmarked no later than October 28, 2001 and that for subsequent funding years, the FCC Form 486 certifications must be provided to the Administrator in accordance with existing program guidelines established by the Administrator. *See* 47 C.F.R. § 54.520(g). Existing program guidelines are explained in the Funding Commitment Decision letter. Your Funding Year 4 Funding Commitment Decision letter notified you that “[I]f your services start after October 28, 2001, your Form 486 must be postmarked no later than 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding.” See Funding Commitment Decision Letter (Funding Year 4: 07/01/2001 – 06/30/2002), page 2. Since your FCC Form 486 was postmarked more than 120 days after the Service Start Date you indicated on your FCC Form 486, SLD has reduced your funding.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the “Appeals Procedure” posted in the Reference Area of the SLD web site, www.sl.universalservice.org.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

486

Do Not Write In This Area

Approval by OMB

RECEIVED & INSPECTED
1060-0358

JAN 07 2002

Schools and Libraries Universal Service

Receipt of Service Confirmation Form

FCC Form 456: To be completed by the Billed Entity
Please read instructions before completing.

Estimated Average Burden Hours For First Submission: 15.0 hours
For Subsequent Submissions: 1.5 hours

Applicant's Form Identifier ISP - 2001/02
(Create your own code to identify THIS Form 486)

Form 486 Application # _____
(To be inserted by Fund Administrator)

1. Name of Billed Entity
East Haddam Board of Education

2. Billed Entity Number
122502

3. Funding Year
71112001 - 613012002

4. Complete Mailing Address of Billed Entity
Street Address, P. O. Box or Route Number
26 Plains Road, PO Box 401

City
Moodus

State
CT

Zip Code
06469

IO-Digit Telephone Number
360-873-5090

Fax Telephone Number
860-873-5092

E-Mail Address
bcarroll@easthaddam.k12.ct.us

5. Contact Person Information

Contact Person Name
Robert Carroll

Mailing Address (if different from Item 4)
Street Address, P. O. Box or Route Number

City

State

Zip Code

☐ IO-Digit Telephone Number

☒ Fax Telephone Number

☐ E-Mail Address

Check the box next to the preferred mode of contact. (At least one box MUST be checked.)

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

NOTICE: The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the form will be used to inform the Schools and Libraries Division of the Universal Service Administrative Company that a billed entity, and/or the schools and libraries that it represents, has begun or has planned to begin to receive service after receiving a funding commitment approval pursuant to FCC Form 411.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of an FCC statute, regulation, rule or order, your application may be referred to the federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (h) any employee of the FCC; or (c) the United States Government, is a party in a proceeding before the body or has an interest in the proceeding.

If you do not provide the information requested on the form, your application may be returned without action or your application may be delayed.

The foregoing Notice is required by the Paperwork Reduction Act of 1995. Pub. L. No. 104-13, 44 U.S.C. § 3501, *et seq.*

Public reporting burden for this collection of information is estimated to average 15.0 hours for the first submission and 1.5 hours for subsequent submissions, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden, to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

JAN 07 2002

Entity Number 122502

Applicant's Form Identifier ISP-2001/0

FCC-MALBOM

Contact Person Robert Carroll

Phone Number 860-873-5090

Block 2a: FUNDING YEAR 4 ONLY — Early Filing Information

ITEM 6A: FOR FUNDING YEAR 4 (THE FUNDING YEAR BEGINNING JULY 1, 2001)

6A. **EARLY FILING.** CHECK THE BOX BELOW IF THE FRNs ON THIS FORM 486 ARE FOR SERVICES STARTING *ON OR BEFORE* OCTOBER 28, 2001.

- ☐ The Funding Requests listed in Block 3 below have been approved by SLD as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before October 28, 2001.

Remember: Early filing for Funding Year 4 using Item 6A is an option if and **ONLY** if services will start on or before October **28, 2001**, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before October **28, 2001**.

Block 2b: FUNDING YEARS AFTER FUNDING YEAR 4 — Early Filing Information and CIPA Waiver Request

ITEMS 6B and 6C: FOR FUNDING YEARS AFTER FUNDING YEAR 4 (FUNDING YEARS BEGINNING JULY 1, 2002 OR LATER)

6B. **EARLY FILING.** CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING *ON OR BEFORE* JULY 31 OF THE FUNDING YEAR.

- ☐ The Funding Requests listed in Block 3 below have been approved by SLD as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.

Remember: Early filing for Funding Years after Funding Year 4 using Item 6B is an option if and **ONLY** if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.

6C. **CIPA WAIVER.** CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

- ☐ I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.

Entity Number <u>122502</u>	Applicant's Form Identifier <u>ISP - 2001/02</u>
Contact Person <u>Robert Carroll</u>	Phone Number <u>860-873-5090</u>

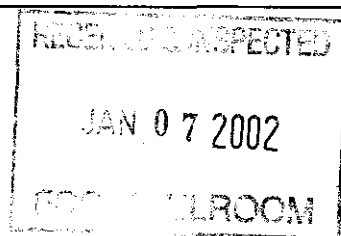
Block 3: Service Information

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named Service Provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.

Remember: The FRNs listed below must be from the same Funding Year as is listed in Item 3, Block 1.

If you need additional pages, please label them 3A, 3B, 3C, etc. and indicate the number in the space provided here. Page 3

	(A) 471 Application Number (10 digits) From FCDL	(B) Funding Request Number (FRN) (10 digits) From FCDL	(C) Billing Account Number (required if contained on your FCDL)	(D) Service Provider Name From FCDL	(E) Service Provider Identification Number (SPIN) (9 digits) From FCDL	(F) Funding Year Service Start Date* (Earliest Date that Discounts Will Begin) (* Cannot be before July 1 of the Funding Year for which you are requesting discounts.) (mm/dd/yyyy)
1	10000239170	10000564805	N/A	Bizness Online	1143003926	07/01/2001
2						
3						
4						
5						
6						
7						
8						



JAN 07 2002

Entity Number 122502 Applicant's Form Identifier ISP - 2001/02
 Contact Person Robert Carroll Phone Number 860-873-5090

Block 4: Certifications and Signature

8. I certify that the technology plan(s) for the services received as indicated on this Form 486 have been approved as necessary. Fill in the name(s) of the organization(s) that reviewed and approved a technology plan for any eligible entity that is receiving services covered under this form; attach an additional list if necessary. If ALL of the FRNs listed herein are for basic telephone service only, write in "none" here.

State of Connecticut

9. I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486 except for those services provided under tariff or month-to-month arrangements. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
10. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited, will make available to the Administrator such records.

NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11

- A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check only ONE item. If the Billed Entity is not the Administrative Authority, skip to Item 11d.
- A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")
- A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 4 and who checks Item 11d must check Item 11f or 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")
- IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 4 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.

11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:

I certify that as of the date of the start of discounted services:

- a ☒ the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b ☐ pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.
- c ☐ the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

Entity Number	122502	Applicant's Form Identifier	ISP - 2001/02
Contact Person	Robert Carroll	Phone Number	860-873-5090

FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES':

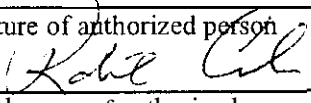
- d ☐ I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members of the consortium.
- e ☐ I certify as the Billed Entity for the consortium that the only services that I have been approved for discounts under the universal service support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), do not apply,

For Funding Years after Funding Year 4: If you checked Item 11d above, check ONE of the boxes below:

- f ☐ I certify that some or all of the eligible consortium members checked Form 479 Item 6d to seek a CIPA Waiver, and upon request from the Administrator I can provide this information; OR
- g ☐ I certify that no eligible consortium members checked Form 479 Item 6d to seek a CIPA Waiver.

The certification language above is not intended to fully set forth or explain all the requirements of the statute.

¹ See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities."

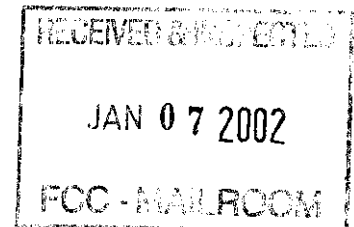
12. Signature of authorized person 	13. Date 10/19/01
14. Printed name of authorized person Robert Carroll	
15. Title or position of authorized person Business Manager	
16. Telephone number of authorized person 860-873-5090	

Please submit this form to:

SLD-Form 486
P. O. Box 7026
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service. Return Receipt Requested, send this form to:

SLD-Form 486
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
888-203-8100



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mail piece, or on the front if space permits.

1. Article Addressed to:

JLD - Form 436
c/o Mrs. Smith
3833 Greenwood Drive
Lawrence, KS 66046

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Oct. 25, 01

C. Signature

Pearson Agent

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Article Number (Copy from service label)

7099 3400 0003 3579 2571

S Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

